

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: To Be Assigned

Filing Date:

Applicant: Andreas Hanke et al.

Group Art Unit:

Examiner:

Title: Hammer

Attorney Docket: 0275L-000925

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cross-referenced pending U.S. application listed below in Section IV, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number
10/092,754

U.S. Filing Date
03/07/2002

C. ____ Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. ____ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ____ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. X A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ____ See the attached foreign patent office communication from a counterpart foreign application.
2. ____ English translations are provided.
3. X Other: See II. B above.

C. ____ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ____ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. X 37 C.F.R. § 1.97(b): (check only one box)

1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. See the certification below. No fee is required.

C. **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. § 1.704(d) below in section VII, if applicable; or

B. ____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ____ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

____ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ____ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ____ Please charge Deposit Account No. 02-2548 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

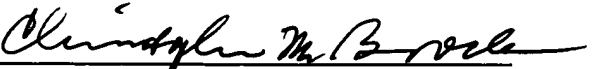
The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2548.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2548.

Respectfully submitted,

Dated: April 19, 2004

By: 
Christopher M. Brock
Reg. No. 27313

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CMB:bg

<p>FORM HDP-1449 (Based on Form PTO-1449)</p> <p>PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE CITATION</p> <p>(Use several sheets if necessary)</p> <p>Sheet 1 of 3</p>	ATTORNEY DOCKET NO.	SERIAL NO.
	0275L-000925	To Be Assigned
	APPLICANT	
	Andreas Hanke et al.	
	FILING DATE	GROUP

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		6,116,352	09/2000	Frauhmammer et al.		
2.		6,098,723	08/2000	Yaniero et al.		
3.		6,073,705	06/2000	Shibata et al.		
4.		5,996,708	12/1999	Gerold		
5.		5,954,140	09/1999	Bauer		
6.		5,944,118	08/1999	Johansson et al.		
7.		5,896,937	04/1999	Kaneko		
8.		5,896,934	04/1999	Yaniero et al.		
9.		5,873,418	02/1999	Arakawa et al.		
10.		5,871,059	02/1999	Shibata et al.		
11.		5,601,388	02/1997	Lauterwald		
12.		5,450,911	09/1995	Gustafsson		
13.		5,373,905	12/1994	Bleicher et al.		
14.		5,199,833	04/1993	Fehrle et al.		
15.		5,111,890	05/1992	Ranger et al.		
16.		5,097,913	03/1992	Gustafsson		
17.		5,088,566	02/1992	Gustafsson et al.		
18.		5,083,499	01/1992	Elvingsson		
19.		5,052,498	10/1991	Gustafsson et al.		
20.		5,050,687	09/1991	Prokhorov et al.		
21.		5,048,618	09/1991	Lagne		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 2 of 3

ATTORNEY DOCKET NO.

0275L-000925

SERIAL NO.

To Be Assigned

APPLICANT

Andreas Hanke et al.

FILING DATE

GROUP

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4,773,657	09/1988	Röhm		
23.		4,627,627	12/1986	Röhm		
24.		4,476,941	10/1984	Buck et al.		
25.		4,336,848	06/1982	Wanner		
26.		4,133,394	01/1979	Wohlwend		
27.		4,068,727	01/1978	Andersson et al.		
28.		3,255,832	06/1966	Leavell		
29.		3,179,185	04/1965	O'Farrell		
30.		3,028,840	04/1962	Leavell		
31.		1,591,930	07/1926	Smith		

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		19651828	06/1998	Germany			
2.		19621610	12/1997	Germany			
3.		4400779	07/1995	Germany			
4.		4215288	01/1993	Germany			
5.		4100186	07/1992	Germany			
6.		3931101	04/1990	Germany			
7.		3432918	03/1986	Germany			

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 3 of 3	ATTORNEY DOCKET NO.	SERIAL NO.
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FOREIGN PATENT DOCUMENTS								
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation		
						Yes	No	
8.		3422195	12/1985	Germany				
9.		3329005	02/1985	Germany				
10.		3224176	12/1983	Germany				
11.		2610990	09/1976	Germany				
12.		9301027	01/1993	PCT				
13.		0847837	06/1998	EPO				
14.		0688127	08/1995	EPO				
15.		0663270	07/1995	EPO				
16.		0494400	07/1992	EPO				
17.		0175065	03/1986	EPO				
18.		0164516	12/1985	EPO				
19.		2313566	12/1997	Great Britain				
20.		2160142	12/1985	Great Britain				
21.		1507610	04/1978	Great Britain				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.